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is, he would have no problem saying...this is just my opinion...that the mentally retarded should not be executed. We are not the ones, remember, who will make the determination.

SPEAKER WITHEM: One minute.

SENATOR CHAMBERS: There will be those trained in the field, those who will properly administer valid tests. This is not a new field where this kind of activity does not occur. It routinely occurs, and there are people very capable of doing it and their determinations are used in court proceedings for various reasons. It's just a matter of saying that what we're going to do formally and explicitly in the law of this state is to say that those people are not subject to being executed.

SPEAKER WITHEM: Senator Maurstad.

SENATOR MAURSTAD: Thank you, Mr. Speaker. I think it's been mentioned earlier that this is going to be a tough vote for some people. It's certainly going to be a tough vote for me and others who have been involved in issues relative to the developmentally disabled in the past. We've, obviously...well, I guess I thank Senator Chambers for bringing a challenge late this afternoon to both our minds and our hearts. And, of course, lots of times reasoning is trying to determine what the proper mix of understanding one's mind and one's heart. There's been a lot of passionate debate. There's been some emotional debate, but I hope that when Senator Matzke gets to talk on this issue again that people will focus on his comments. I, for one, am certainly persuaded by the discussion that he has provided why this is not the time or the place, and there certainly are bills where there is a time or a place to bring something that hasn't been introduced. But I think that the importance associated with the issue that Senator Matzke brings to us dictates that we ought to keep the bill as clean as possible and that would allow an up or down vote, eventually, on the issue that it brings before us. We had over 900 items introduced this year. There was a lot of possibility for each one of us to bring this issue before the body, and that did not occur. I sometimes am troubled by the inconsistency demonstrated by myself and others. We have an opportunity here where we could help one, maybe a couple, developmentally disabled individuals